

**OFFICE OF THE MISSISSIPPI SECRETARY OF STATE
BUSINESS REGULATION AND ENFORCEMENT DIVISION**

IN THE MATTER OF :

CHILDREN'S CHARITABLE FOUNDATION

**PMB 103
4786 Dressker RD NW
Canton, Ohio 44718**

Respondent

) **Administrative**
) **Proceeding**
) **Number: C-04-0037**
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FINAL CEASE AND DESIST ORDER

I. JURISDICTION

COMES NOW, James O. Nelson II, Assistant Secretary of State, on behalf of Eric Clark, Secretary of State of Mississippi ("Secretary"), after having served a Summary Cease and Desist Order and Notice of Intent to Deny Registration and Impose Administrative Penalty on Respondent, and said Respondent having wholly failed to respond within the time frame allowed by the rules, hereby issues this Final Order regarding Respondent's violations of the Mississippi Charitable Solicitations Act ("Act"), Miss. Code Ann. §79-11-501 *et seq.* (Rev. 2001).

II. FINDINGS OF FACT

1. On December 19, 2003, the Secretary of State's Office, Business Regulation and Enforcement Division ("Division") received documentation that Children's Charitable Foundation ("CCF") was soliciting donations from the public and indicating that it was registered with the Division.

2. After a diligent search, it was determined that CCF was not registered with the Division.

3. On February 24, 2004, the Division wrote CCF a letter informing the organization that it was not registered, and that registration was required prior to any solicitation of donations in the State of Mississippi. A registration package was mailed to the organization requesting registration within thirty (30) days, and it was told to destroy any documentation stating that CCF was registered in Mississippi.

4. Currently, CCF is still not registered with the Division.

5. A Summary Cease and Desist Order and Notice of Intent to Deny Registration and Impose Administrative Penalty was entered against Respondent on May 17, 2004. Respondent was served with a certified copy of the Summary Order.

6. Respondent failed to request a hearing or otherwise respond to the Summary Order within the thirty (30) day time frame prescribed in the Act. Therefore, entry of a Final Order is appropriate.

III. CONCLUSIONS OF LAW

7. According to Miss. Code Ann. §79-11-503(1) (Rev. 2001), every charitable organization, which solicits or intends to solicit contributions shall file a registration statement with and pay a filing fee of Fifty Dollars (\$50.00) to the Secretary of State. Since CCF is distributing documentation stating that it is soliciting contributions in the State of Mississippi, without being registered, it is therefore in violation of this provision.

8. Pursuant to Miss. Code Ann. §79-11-509(1) (e) (Rev. 2001), the Secretary shall suspend, revoke, or deny a registration if the applicant or registrant has violated or failed to comply with any provisions of this chapter or any rule or order thereunder. Since the Division has received documentation that CCF is distributing documentation stating that it is soliciting

contributions in the State of Mississippi without being registered as required by the law, the Secretary must deny the organization's registration.

9. Since CCF is soliciting contributions without being registered, it is, therefore, subject to the provisions of §79-11-509 (Rev. 2001) to include the issuance of a cease and desist order with or without a prior hearing and revocation, denial, or suspension of registration, and imposition of an administrative penalty in the amount of Five Hundred Dollars (\$500.00) by the Secretary.

IV. PUBLIC INTEREST

This Final Cease and Desist Order is issued in the public interest and for the protection of donors consistent with the purposes of the Act.

V. ORDER

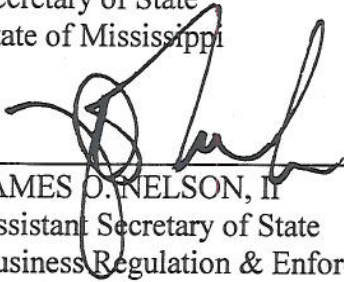
IT IS THEREFORE ORDERED, pursuant to the authority set out in Section 79-11-509 of the Act that Respondent, CHILDREN'S CHARITABLE FOUNDATION shall permanently **CEASE AND DESIST FROM ACTIVITY IN, OR ORIGINATING FROM THE STATE OF MISSISSIPPI** in connection with solicitation of donations.

BE ADVISED THAT, a willful violation of this Final Cease and Desist Order may be punishable upon conviction by a fine of not more than Twenty-five Thousand Dollars (\$25,000.00) or five (5) years imprisonment, or both, in addition to civil and administrative remedies to the Division.

SO ISSUED, this the 22nd day of June, 2004.

ERIC CLARK
Secretary of State
State of Mississippi

BY:


JAMES O. NELSON, II
Assistant Secretary of State
Business Regulation & Enforcement

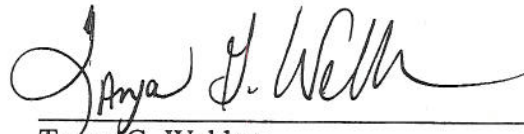
Prepared and Submitted by:
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CERTIFICATE OF SERVICE

I, Tanya G. Webber, do here by certify, that I have this day, mailed via United States Certified Mail, a true and correct copy of the Final Cease and Desist Order to the following:

Children's Charitable Foundation
PMB 103
4786 Dressker RD NW
Canton, Ohio 44718

This the 23rd day of June, 2004.



Tanya G. Webber
Senior Attorney
Business Regulation and Enforcement

Tanya G. Webber, MSB # 99405
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